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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/731,318	12/08/2003	Bong Jin Jeon	327-002	5077

33354 7590 09/07/2005

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EXAMINER

EKONG, EMEM

ART UNIT PAPER NUMBER

2681

DATE MAILED: 09/07/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/731,318	JEON, BONG JIN	
	Examiner	Art Unit	
	EMEM EKONG	2681	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 08 December 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-19 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 08 December 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>12/08/2003</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. **Claims 1-3, 5-9, and 11-14** are rejected under 35 U.S.C. 102(b) as being anticipated by U.S Patent No. 5,874,889 to Ray Higdon (Higdon) et al..

Regarding claim 1, Higdon discloses a method for providing security to a transceiver user comprising (abstract, see figures 1 and 2, and col. 1 line 10-col. 2 line 18):

a) transmitting information, including a period of time, from a transceiver (vehicle security system includes a cellular telephone, comprising a cellular transceiver) to a computer (i.e. controller with memory and modem) (see figure 2, col. 3 lines 15-20, col. 3 lines 51-64, col. 4 lines 7-15, and col. 5 lines 44-48); and

b) unless the computer is instructed otherwise by the transceiver user, transmitting information from the computer to an emergency service provider after the period of time has elapsed (see figure 1, col. 2 lines 13-17, and col. 5 line 44-col. 6 line 11).

Regarding claim 2, Higdon discloses the method of claim 1 wherein an alert is transmitted from the computer to the transceiver when the period of time has elapsed (col. 6 lines 6-10).

Regarding claim 3, Higdon discloses the method of claim 1 wherein the transceiver user must transmit a personal identification number in order to prevent transmission between the computer and the emergency service provider (col. 5 lines 60-63, and col. 7 lines 5-10).

Regarding claim 5, Higdon discloses the method of claim 1 wherein the transceiver is a cell phone (see claim 5).

Regarding claim 6, Higdon discloses the method of claim 1 wherein the information further comprises text data (col. 1 lines 44-45, and col. 3 lines 56-59).

Regarding claim 7, Higdon discloses the method of claim 1 wherein the information further comprises voice data (col. 3 lines 60-64).

Regarding claim 8, Higdon discloses the method of claim 1 wherein the information further comprises a visual image (col. 2 lines 12-18, and col.3 line 34).

Regarding claim 9, Higdon discloses the method of claim 1 wherein the information further comprises the transceiver's location (col. 4 lines 10-15).

Regarding claim 11, Higdon discloses an apparatus for alerting an emergency service provider of an emergency, comprising (abstract, see figures 1 and 2, and col. 1 line 10-col. 2 line 18):

- a) means (i.e. memory, controller) for receiving from a transceiver information which includes a transceiver user specified period of time and a user personal identification number (col. 4 lines 7-15, col. 4 lines 30-33, col. 4 lines 41-43, and col. 5 lines 44-48);
- b) means (controller) for transmitting to the transceiver an alert after the period of time has elapsed (col. 5 line 45-col. 6 line 10); and
- c) means (controller) for transmitting to the emergency service provider the information if the period of time has elapsed and the user's personal identification number has not been received (figures 1, and 5, col. 6 line 6-11, col. 6 lines 25-30, and col. 7 lines 2-10).

Regarding claim 12, Higdon discloses the apparatus of claim 11 wherein the means for receiving is a computer (controller) (see figure 2, col. 5 line 1-2, and col. 8 lines 13-32).

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Regarding claim 13, Higdon discloses the apparatus of claim 11 wherein the means (controller) for transmitting an alert and the means (i.e., wireless transceiver, cellular transceiver) for transmitting the information are telecommunications devices (col. 6 lines 6-10).

Regarding claim 14, Higdon discloses the apparatus of claim 11 wherein the period of time is embodied in a code (col. 5 line 45-48).

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

5. **Claim 4** is rejected under 35 U.S.C. 103(a) as being unpatentable over Higdon in view of U.S Patent No. 5,223,844 to Paul Mansell (Mansell) et al..

Higdon discloses the method of claim 1, however fails to disclose wherein the transceiver user must initiate a second transmission of information to the computer in order to prevent transmission between the computer and the emergency service provider.

Mansell disclose wherein the transceiver (mobile unit) user must initiate a second transmission of information to the computer(control center) in order to prevent transmission between the computer and the emergency service provider (see figure 1, and col. 6 line 66- col. 7 line 7).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the invention of Higdon with the teaching of Mansell for the purpose of requesting user confirmation before an action are taken.

6. **Claims 15-19** are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S Patent No. 4,978,946 to Ken Nordholm (Nordholm) et al. in view of Higdon.

Regarding claim 15, Nordhom discloses an apparatus for providing security to a user of a first means for transmitting, comprising (abstract):

a) first means (first portable unit) for transmitting information which includes a user specified period of time and a user personal identification number (see figure 2, col. 1 lines 60-68, col. 2 lines 1-41, col. 3 lines 15-20, col. 3 lines 51-64, col. 4 lines 7-15, col. 5 lines 28-29, col. 5 lines 44-48, and col. 6 lines 9-33); and

b) first means (transceiver in the second portable unit) for receiving an alert after the period of time has elapsed (col. 6 lines 9-33, and col. 7 lines 53-55).

However, Nordhom fails to specifically disclose transmitting information, which includes a user specified period of time.

Higdon discloses a user specified period of time and a user personal identification number (see figure 2, col. 3 lines 15-20, col. 3 lines 51-64, col. 4 lines 7-15, col. 5 lines 28-29, and col. 5 lines 44-48).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the invention of Nordhom with the teaching of Higdon for the purpose of providing a personal security system that indicates a user's condition after a predetermined period of time.

Regarding claim 16, the combination of Nordhom and Higdon discloses the apparatus of claim 15 wherein the first means (first portable unit) for transmitting and the first means (second portable unit) of receiving are separate devices (Nordhom, see figure 11).

Regarding claim 17, the combination of Nordhom and Higdon discloses the apparatus of claim 16 wherein the first means (second portable unit) for receiving is a cell phone (second portable unit) (Nordhom, see figure 11, col. 2 line 5-10).

Regarding claim 18, Nordhom discloses the apparatus of claim 15, however fails to specifically disclose wherein the period of time is embodied in a code.

Higdon discloses wherein the period of time is embodied in a code (col. 5 lines 45-48).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the invention of Nordhom with the teaching of Higdon by encoding the period of time for the purpose of security.

Regarding claim 19, Nordhom discloses the apparatus of claim 15 further comprising:

The apparatus of claim 15 further comprising:

a) second means for receiving (other units in the system), from the first means for transmitting (radio transmitter in first portable unit), information which includes a user specified period of time and the user's personal identification number (col. 5 lines 25-30, and col.6 lines 22-33);

b) second means for transmitting (i.e. position and motion sensor), to the first means for transmitting (radio transmitter in first portable unit), an alert that the period of time has elapsed (see figures 1,2,3,4,5 and 6, col. 5 lines 6-28, and col.6 lines 22-33);
and

c) third means for transmitting (central station), to an emergency service provider, the information if the period of time has elapsed and the user's personal identification number has not been received (col. 5 lines 6-28, and col.6 lines 22-33).

However, Nordhom fails to specifically disclose a user specified period of time; and third means for transmitting, to an emergency service provider.

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Higdon discloses a user specified period of time (see figure 2, col. 3 lines 15-20, col. 3 lines 51-64, col. 4 lines 7-15, col. 5 lines 28-29, and col. 5 lines 44-48); and third means (central monitoring station) for transmitting, to an emergency service provider (col. 1 line 65-col.2 line1).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the invention of Nordhom with the teaching of Higdon for the purpose of providing security to a user by generating alarm signals to an emergency service provider without an intruder's knowledge.

7. **Claim 10** is rejected under 35 U.S.C. 103(a) as being unpatentable over Mansell in view of Higdon.

Mansell discloses a method for providing security to a cell phone user comprising (abstract, col. 2 lines 26-60):

a) entering information into a cell phone by pressing a series of keys, the information comprising in encoded form (keys) (col. 2 lines 39-60, col. 10 line 61-col. 11 line1, col. 13 lines 24-25, col. 20 lines 20-30),

i. at least one telephone number connecting to a computer server (control center) (see figure 1, col. 2 lines 25-35), and

b) transmitting the information from the cell phone to the computer server (control center) (col. 2 lines 26-54, col. 6 lines 61-66);

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c) receiving a call on the cell phone from the computer server (control center)

(col. 17 lines 40-68, col. 19 lines 30-34); and

d) unless the cell phone user answers the call, transmitting a message from the computer server to an emergency service provider, wherein the message

comprises at least one of the following (col. 7 lines 16-25, col. 8 lines 34-39):

i. a request for help;

ii. location data acquired by utilizing at least one of the following,

1. global positioning systems (col. 7 lines 16-25),

2. geographic information system,

3. automatic number identification system,

4. automatic location identification systems, or

5. the cell phone user;

iii. text data;

iv. voice data, or

v. a visual image, and wherein the emergency services provider is at least one of the following (see figure 1),

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- i. law enforcement,
- ii. fire department,
- iii. paramedics, or
- iv. military

However, Mansell fails to disclose a cell phone user specified period of time; and receiving a call on the cell phone from the computer server (controller) after the period of time has elapsed and;

enters a predetermined personal identification number into the cell phone, transmitting a message from the computer server(controller) to an emergency service provider.

Higdon discloses a cell phone user specified period of time (col. 3 lines 15-20, col. 5 lines 44-48);

receiving a call on the cell phone from the computer server (controller) after the period of time has elapsed(see figure 4, col. 6 lines 6-10); and

entering a predetermined personal identification number into the cell phone, transmitting a message from the computer server to an emergency service provider(see figure 1, col. 2 lines 13-17, and col. 5 line 56-col. 6 line 11).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the invention of Mansell with the teaching of Higdon for the purpose of securing a user, by generating an alarm signal after a predetermined time in the absence of user's identification number.

Conclusion

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

The following patents are cited to further show the state of the art with respect to communication method:

U.S. Pat. No. 6765992 B2 to Brian Dawson (Dawson)

U.S. Pat. No. 6771167 B1 to Kenneth E. Flick (Flick)

U.S. Pat. No. 6819236 B2 to Makoto Kawai (Kawai et al.)

U.S. Pat. No. 6175308 B1 to Erven Tallman (Tallman)

U.S. Pat. No. 6373379 B1 to William T Frantz (Frantz)

U.S. Pat. No. 5515419 to Eliezer A. Sheffer (Sheffer).


Any inquiry concerning this communication or earlier communications from the examiner should be directed to EMEM EKONG whose telephone number is 571 272 8129. The examiner can normally be reached on 8-5 Mon-Fri..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, JOSEPH FEILD can be reached on 571 272 4090. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


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09/02/05


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